

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICAN, ex rel,  
CARY L. ZIGROSSI,

Plaintiffs,

v.

ORDER  
11-CV-173A(HKS)

WESTERN REGION HEALTH CORPORATION et al,

Defendants.

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The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On April 3, 2014, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that the United States' motion to dismiss (Dkt. 21) should be denied in part and granted in part.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, the United States' motion to dismiss (Dkt. 21) is granted and the Complaint is dismissed without prejudice as to both the plaintiff/realtor and the United States.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

*Richard J. Arcara*  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: April 24, 2014